

REMARKS

Applicants have amended claims 1 and 3.

Claim 3 has been rejected under 35 USC 112, second paragraph. The Examiner first contends that the expression in original claim 3 “the semiconductor device without the protecting device” has insufficient antecedent basis. The Examiner also contends that this expression makes the claimed semiconductor device “incomplete.”

Applicants have amended claim 3 to recite “a corresponding semiconductor device without the protecting element.” This amendment overcomes the indefiniteness rejection because “a corresponding semiconductor device” requires no antecedent basis. Furthermore, the limitation “without the protecting element” does not go to the claimed semiconductor device but to a corresponding device for breakdown voltage comparison. Persons skilled in the art would understand that such a “corresponding semiconductor device” to which the claimed semiconductor device is compared is the claimed semiconductor device from which the claimed protecting element is removed. This claimed comparison is also described at page 18, lines 14-24, of the specification. Thus, the rejection of claim 3 under 35 USC 112, second paragraph, should be withdrawn.

Claims 1 and 4-9 have been rejected under 35 USC 102(b) as anticipated by U.S. Patent No. 5,684,323 (Tohyama). Applicants respectfully traverse this rejection.

Original claim 1 states that the protecting element comprises a first high concentration impurity region, a second high concentration impurity region and an insulating region between the first and second high concentration impurity regions. Persons of ordinary skill in the art would have understood that an “impurity region” is a region of a semiconductor substrate that has received P type or N type impurities. Examples of such impurity regions are shown in FIGS. 3A-5D of the application.

The Examiner contends that Tohyama’s aluminum wiring conductor 6 corresponds to the claimed second high concentration impurity region. Applicants respectfully disagree. An

aluminum wiring is not an impurity region as explained above. Solely for the Examiner to understand the claim language, applicants have amended claim 1 to recite a second high concentration impurity region formed in the substrate. Because the second high concentration impurity region is inherently formed in the claimed semiconductor substrate, this amendment does not change claim scope. Tohyama's aluminum wiring 6 is neither an impurity region nor formed in Tohyama's substrate 2, as claimed.

The rejection of claims 1 and 4-9 under 35 USC 102(b) on Tohyama should be withdrawn because Tohyama does not teach or suggest the claimed second high concentration impurity region.

In light of the above, a Notice of Allowance is solicited. -

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952**, referencing Docket No. **492322017600**.

Respectfully submitted,

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By: 
for Barry E. Bretschneider
Registration No. 28,055 20038

Morrison & Foerster LLP
1650 Tysons Boulevard, Suite 300
McLean, VA 22102-3915
Telephone: (703) 760-7743
Facsimile: (703) 760-7777